

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

E*TRADE FINANCIAL CORPORATION and
E*TRADE SECURITIES LLC,

Plaintiffs,

-against-

MARCUS J. HERNANDEZ, SEAN J. GAFFEY,
and BANC OF AMERICA INVESTMENT
SERVICES, INC.,

Defendants.

Civil Action No. 08 CV 2993 (RJH)

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE that the undersigned hereby appears on behalf of Defendants Marcus J. Hernandez and Sean J. Gaffey in the above-entitled action, and requests that all pleadings and other filings regarding this matter be served upon the undersigned attorney, at the office address listed below, and hereby further requests electronic notification of all papers filed with the Court by notice upon the following email address: psaso@gibbonslaw.com.

Dated: New York, New York
April 9, 2008

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Attorneys for Defendants

Marcus J. Hernandez and Sean J. Gaffey

s/ Paul A. Saso

Paul A. Saso

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of April, 2008, the foregoing Notice of Appearance was electronically filed via the Court's CM/ECF system and served upon the following parties and participants in the manner indicated below:

Douglas Paul Lobel, Esq. (via CM/ECF)
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s/ Paul A. Saso